
SECTION: PARTICIPANT RIGHTS

SUBJECT: Treatment of Individuals

ITEM: *Complaints of Discrimination*



Purpose The purpose of this policy is to give local agencies guidelines for processing applicant/participant complaints which allege discrimination.

Policy Local agencies shall accept and process all complaints of discrimination.

Basis for policy 7 CFR, Ch. 11, Section 246.8(4) and (4) b).

Right to file a complaint An applicant/participant alleging discrimination based on race color, national origin, age, sex, or disability has the right to file a complaint within 180 days of the alleged discriminatory act or action. Under special circumstances, this time limit may be extended. Local agencies may *not* reject complaints of discrimination.

Where to file a complaint Local agencies shall accept and forward all civil rights complaints, whether written or verbal. Written complaints shall be filed and forwarded to the address that appears on the WIC Participant Information Sheet. (WPIS).

If the participant is not inclined to discuss the particulars of the complaint with the local agency, the agency shall provide the person with the contact information as noted above.

Protection of complainants No person shall be intimidated, threatened, coerced, or discriminated against for the purpose of interfering with any right or privilege under the WIC Program because he/she made a complaint or formal allegation or testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. The identity of every complainant shall be kept confidential, except to the extent necessary for purposes of any investigation, hearing, or judicial proceeding.

**Verbal
complaints**

If the complainant makes the allegation of a discriminatory act verbally and refuses or is not inclined to make such allegations in writing, a local agency staff or a person hearing the complaint, shall put the elements of the action in writing on the complainant's behalf. Anonymous complaints shall also be accepted.

**Content of
complaints**

Every effort shall be made to have the complainant provide the following information to the Secretary of Agriculture, either in writing or verbally:

- Name, address, and telephone number of the complainant or other means of contacting the complainant,
 - The specific location and name of the entity delivering the services or benefit,
 - The nature of the incident or action that led the complainant to feel discrimination was a factor, or an example of the method of administration which is alleged to have a discriminatory effect on the public or potential and actual participants,
 - The basis on which the complainant feels discrimination exists (race, color, national origin, age, sex, or disability),
 - The names, titles, and business addresses of persons who may have knowledge of the discriminatory, action, and
 - The date(s) during which the alleged discriminatory action occurred or, if continuing, the duration of such actions.
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